

**3:21-cv-00501-RJC-WCM**

**Defendants.**

[illegible]

discovery that has been taken, see Docs. 19, 21, 23, 27, 36, the Court will deny Plaintiff's request for an evidentiary hearing in connection with Tanner Pharma UK Limited's Rule 12(b)(2) Motion to Dismiss Amended Complaint (Doc. 62).

With respect to Plaintiff's Motion for Leave to Conduct Early Discovery (Doc. 93), as the parties correctly indicated, the Local Rules of this district state that while parties may engage in consensual discovery at any time, "Court-enforceable discovery does not commence until issues have joined and a Scheduling Order has been entered, with the exception that early Rule 34 requests may be used pursuant to Fed. R. Civ. P. 26(d)(2)." LCvR 16.1(f). The parties remain free to engage in consensual discovery, but the undersigned is not persuaded that Court-enforceable merits discovery should be opened at this time. Consequently, Plaintiff's request to that effect is **DENIED**.

Finally, Plaintiff's Motion for Leave to File Surreply (Doc. 94) is **DENIED**. Plaintiff may, however, make any appropriate arguments orally with respect to Tanner Pharma UK Limited's Rule 12(b)(2) Motion to Dismiss Amended Complaint at the upcoming hearing.

The Clerk is **RESPECTFULLY DIRECTED** to schedule a hearing on the pending Motions to Dismiss (Docs. 62, 65, 67, 69, 71).

It is so ordered.

Signed: April 21, 2023

A handwritten signature in black ink, reading "W. Carleton Metcalf", written over a horizontal line.

W. Carleton Metcalf  
United States Magistrate Judge

